

Prohibited article. Any plant for planting designated in § 319.37-2 (a) or (b), except wood articles regulated under §§ 319.40-1 through 319.40-11, “Subpart—Logs, Lumber, and Other Unmanufactured Wood Articles.”

Quarantine pest. A plant pest or noxious weed that is of potential economic importance to the United States and not yet present in the United States, or present but not widely distributed and being officially controlled.

Regulated plant. A vascular or non-vascular plant. Vascular plants include gymnosperms, angiosperms, ferns, and fern allies. Gymnosperms include cycads, conifers, and gingko. Angiosperms include any flowering plant. Fern allies include club mosses, horsetails, whisk ferns, spike mosses, and quillworts. Nonvascular plants include mosses, liverworts, hornworts, and green algae.

Restricted article. Any plant for planting, excluding any prohibited articles listed in § 319.37-2(a) or (b) of this subpart, any articles whose importation is not authorized pending pest risk analysis under § 319.37-2a of this subpart, and excluding any articles regulated in §§ 319.8 through 319.28 or 319.41 through 319.74-4 of this part and any articles regulated in part 360 of this chapter.

Secretary. The Secretary of Agriculture, or any other officer or employee of the Department of Agriculture to whom authority to act in his/her stead has been or may hereafter be delegated.

Soil. The loose surface material of the earth in which plants, trees, and shrubs grow, in most cases consisting of disintegrated rock with an admixture of organic material and soluble salts.

Solanum spp. true seed. Seed produced by flowers of *Solanum* capable of germinating and producing new *Solanum* plants, as distinguished from *Solanum* tubers, whole or cut, that are referred to as *Solanum* seeds or seed potatoes.

Spp. (species). All species, clones, cultivars, strains, varieties, and hybrids, of a genus.

State. Any of the several States of the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands of the United States, or any other territory or possession of the United States.

State Plant Regulatory Official. The official authorized by the State to sign agreements with Federal agencies involving operations of the State plant protection agency.

Taxon (taxa). Any grouping within botanical nomenclature, such as family, genus, species, or cultivar.

United States. All of the States.

[45 FR 31585, May 13, 1980, as amended at 50 FR 8706, Mar. 5, 1985; 56 FR 19790, Apr. 30, 1991; 57 FR 43145, Sept. 18, 1992; 58 FR 38267, July 16, 1993; 60 FR 3077, Jan. 13, 1995; 60 FR 27674, May 25, 1995; 63 FR 13484, Mar. 20, 1998; 66 FR 21055, Apr. 27, 2001; 69 FR 21946, Apr. 23, 2004; 69 FR 61586, Oct. 20, 2004; 72 FR 43517, Aug. 6, 2007; 76 FR 31208, May 27, 2011]

§ 319.37-2 Prohibited articles.

(a) The following listed articles from the designated countries and localities are prohibited articles and are prohibited from being imported or offered for entry into the United States except as provided in paragraph (c) of this section.

Prohibited article (includes seeds only if specifically mentioned)	Foreign places from which prohibited	Quarantine pests existing in the places named and capable of being transported with the prohibited article
<i>Abelmoschus</i> spp. (okra)	Africa	Cotton leaf curl agent. Cotton Anthocystosis agent.
	Brazil	Bendi yellow vein mosaic agent.
	Bangladesh, India, Sri Lanka	Okra mosaic virus.
	Cote d'Ivoire, Nigeria	Okra yellow leaf curl agent.
	Iraq	Okra mosaic agents.
	Papua New Guinea, Trinidad and Tobago	50 or more species of rusts including <i>Chrysomyxa abietis</i> (Walt.) Ung. (a rust causing a serious needle disease); <i>Phacidopycnis pseudosuga</i> (M. Wils.) Hahn (Douglas fir canker).
	All except Canada	<i>Uromycladium tepperianum</i> (Sacc.) McAlp. (Rust). <i>Xanthomonas acerina</i> (Ogawa) Burk. Maple mosaic or variegation diseases.
<i>Abies</i> spp. (fir)	Australia and Oceania	<i>Pucciniamatum actinidiae</i> Hiratsuka (Rust).
	Japan	A diversity of diseases including, but not limited to: Lethal yellowing disease; Cadang-cadang disease.
	Europe, Japan	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Acacia</i> spp. (acacia)	Japan and Taiwan	Horsechestnut variegation or yellow mosaic diseases.
<i>Acer</i> spp. (maple) (except <i>Acer palmatum</i> and <i>Acer japonicum</i> meeting the conditions for importation in § 319.37-5(n)).	All	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Actinidia</i> spp. (Chinese gooseberry, kiwi)..	All	A diversity of diseases including, but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Adonidia</i> spp	All	Cotton leaf curl agent.
<i>Aegopodium</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x).	Czech Republic, Germany, Romania, Slovakia, United Kingdom, ...	Bendi yellow vein mosaic agent.
<i>Aesculus</i> spp. (horsechestnut)	All	Peanut stripe virus.
<i>Aiphanea</i> spp. (coyore, ruffle, and spine palm).	All	Peanut clump virus. Indian peanut clump virus.
<i>Allagopiperita arenaria</i>	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Althaea</i> spp. (althaea, hollyhock)	Africa	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Arachis</i> spp. (peanut) seed only (all other <i>Arachis</i> articles are included under Fabaceae).	Bangladesh, India, Sri Lanka	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
	India, Indonesia, Japan, Philippines, Taiwan, Thailand.	<i>Oligonychia</i> sp. (Spruce needle rust); <i>Pseudomonas ignicola</i> (Westerd. & Buis. (Bacterial stain); <i>Pucciniastrum areoletatum</i> (Fr.) Oth. (Cherry-spruce rust),
	Burkina Faso, Côte d'Ivoire, Senegal India	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Areca</i> spp	All	
<i>Arenga</i> spp. (sugarpalm)	All	
<i>Arikuryoba</i> spp. (arikury palm)	All	
Articles listed in § 319.37-2(b)	All except Canada	
<i>Atalantia</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x).	All	

<i>Balsamocitrus</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x). <i>Bambuseae</i> (seeds, plants, and cuttings).	All All All	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Berberis</i> spp. (barberry) (plants of all species and horticultural varieties not designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	Various plant diseases, Including bamboo smut (<i>Ustilago shiratana</i>)
<i>Berberis</i> spp. (barberry) destined to an eradication State listed in § 301.38-2a of this chapter (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Berberis</i> spp. (barberry) seed <i>Bergera</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x). <i>Borassus</i> spp. (palmrya palm) <i>Bignonia sapida</i> (také) <i>Borassus</i> spp. (palmrya palm)	All All All All All	<i>Puccinia graminis</i> Pers. (Black stem rust). <i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Brugmansia</i> spp. <i>Calodendrum</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x). <i>Caryota</i> spp. (fishtail palm) <i>Castanea</i> spp. (chestnut) <i>Cedrus</i> spp. (cedar) <i>Chaenomeles</i> spp. (flowering quince) not meeting the conditions for importation in § 319.37-5(b). <i>Chrysailidocarpus</i> spp. (butterfly palm).	All All All All All All All All All	Okra mosaic virus. A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease. <i>Datura</i> <i>Columbia</i> virus. <i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening). A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease. <i>Cryphonectria</i> <i>parasitica</i> (Murrill) Barr (chestnut blight); <i>Dyocosmus kuriphilus</i> Yasumatsu (gall wasp). <i>Phacidipovirus pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker). <i>Fusarium fuliginosorum</i> Sibilia (Seedling disease) A diversity of diseases including but not limited to those listed for <i>Chaenomeles</i> in § 319.37-5(b)(1). A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.

Prohibited article (includes seeds only if specifically mentioned)	Foreign places from which prohibited	Quarantine pests existing in the places named and capable of being transported with the prohibited article
<i>Chrysanthemum</i> , spp. (chrysanthemum, includes <i>Dendranthema</i> spp.).	Andorra, Argentina, Australia, Belarus, Bosnia and Herzegovina, Brazil, Brunei, Canary Islands, Chile, China, Colombia, Croatia, Ecuador, Iceland, Japan, Korea, Liechtenstein, Macedonia, Malaysia, Mexico, Monaco, Moldova, Monaco, New Zealand, Norway, Peru, Republic of South Africa, Russia, San Marino, Switzerland, Taiwan, Thailand, Tunisia, Ukraine, Uruguay, Venezuela, Yugoslavia; the European Union (Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and United Kingdom); and all countries, territories, and possessions of countries located in part or entirely between 90° and 180° East longitude.	<i>Puccinia horiana</i> P. Henn. (white rust of chrysanthemum).
<i>Citrotortuella</i> spp., seed not meeting the conditions for importation in § 319.37-5(w) or (x)., <i>xCitronicrus</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)., <i>Citrus</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)., <i>Clausena</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)., <i>Cocos</i> spp. (other than <i>Cocos nucifera</i>)., <i>Cocos nucifera</i> (coconut) (including seed) (Coconut seed without husk or without milk may be imported into the United States in accordance with § 319.56-11).	All	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Corypha</i> spp.	All	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Crocosmia</i> spp. (montbretia), except bulbs in commercial shipments.	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.	<i>Puccinia macleeanii</i> Dodge (rust), <i>Uredo gladioli-buetneri</i> Bub. (rust), <i>Uromyces gladioli</i> P. Henn. (rust), <i>U. nyikensis</i> Syd. (rust), <i>U. transversalis</i> (Thüm.) Wint. (rust).
<i>Cydonia</i> spp. (quince) not meeting the conditions for importation in § 319.37-5(b).	All	A diversity of diseases including but not limited to those listed for <i>Cydonia</i> in § 319.37-5(b)(1).
<i>Datura</i> spp.	India	Datura distortion or enation mosaic virus.
<i>Datura</i> spp. (woody species)	(See <i>Bugmannia</i> spp.).	

Animal and Plant Health Inspection Service, USDA
§ 319.37-2

<i>Dendranthema</i> spp. (chrysanthemum).	See <i>Chrysanthemum</i> spp.	
<i>Dictyosperma</i> spp. (Princesspalm)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Dracaena</i> spp. plants not meeting the conditions for import in § 319.37-5(y).	Costa Rica	<i>Anisotrocerus circumdatus</i> ; <i>Caldwellia reservata</i> ; <i>Chaetanaphothrips signipennis</i> (banana rust triph); <i>Coccus virdis</i> (green scale); <i>Diplosolenes occidentalis</i> (spotted leatherleaf slug); <i>Erioloides consobrinus</i> ; <i>Neococoncephalus affinis</i> (tatter conehead katydid); <i>Oncostoma clarior</i> (blue sharpshooter); <i>Orachlamys fulgens</i> ; <i>Pallifera costaricensis</i> (Costa Rica mantle slug); <i>Planococcus minor</i> (passionvine mealybug); <i>Pseudococcus landoi</i> (lando mealybug); <i>Sarasinula plebeja</i> (Caribbean leatherleaf slug); <i>Succinea costaricana</i> ; <i>Xylosandrus morigerus</i> (brown coffee twig beetle).
<i>Elaeis</i> spp. (oil palm)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Erianthus</i> spp. (plume grass).	All	<i>Puccinia melanocephala</i> H. Syd. & P. Syd. (Sugarcane rust).
<i>Eucalyptus</i> spp. (eucalyptus)	Europe, Sri Lanka, and Uruguay	<i>Pestalotiopsis disseminata</i> Thüm. (parasitic leaf fungi).
<i>Euonymus</i> spp. (euonymus)	Europe, Japan	A diversity of diseases including but not limited to: African soybean dwarf agent, alfalfa mosaic virus, azuki bean mosaic virus, bean golden mosaic virus, cowpea mild mottle virus, French bean mosaic virus, groundnut chlorotic leaf streak virus, groundnut chlorotic spotting virus, groundnut rosette agents, groundnut witches broom MLO, horsegram yellow mosaic virus, Indonesian soybean dwarf virus, lima bean mosaic virus, lucerne Australian symptomless virus, lucerne vein yellowing virus, mung bean yellow mosaic virus, peanut stripe virus, red clover mottle virus, and soybean dwarf virus.
Fabaceae (=Leguminosae) (herbaceous spp. only).	All except Canada	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Fortunella</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x).	All	<i>Phytophthora fragariae</i> Hickman (Red stele disease).
<i>Fragaria</i> spp. (strawberry) not meeting the conditions for importation in § 319.37-5(l).	All except Canada	<i>Agilus planipennis</i> (emerald ash borer).
<i>Fraxinus</i> spp. (ash)	Europe	<i>Pseudomonas savastanoi</i> var. <i>fraxini</i> (Brown) Dowson (Canker and dwarfing disease of ash).
<i>Gauussia</i> spp. (lumepalm)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Gladiolus</i> spp. (gladiolus)	Africa	<i>Puccinia moceanii</i> Dodge (rust), <i>Uredo gladioli-buetneri</i> Bub. (rust), <i>Uromyces gladioli</i> P. Henn. (rust), <i>U. nyikensis</i> Syd. (rust), <i>U. gladioli</i> P. Henn. (rust).
<i>Gladiolus</i> spp. (gladiolus), except bulbs in commercial shipments.	Argentina, Uruguay ...	<i>U. transversalis</i> (Thüm.) Wint. (rust).
<i>Gossypium</i> spp. (cotton, cottonree).	All	A diversity of diseases including but not limited to: cotton leaf curl virus; cotton virescence agent; small leaf virus.
<i>Hibiscus</i> spp. (kenaf, hibiscus, rose mallow).	Africa	Cotton leaf curl agent.
<i>Howea</i> spp. (sentry palm) not meeting the conditions in § 319.37-5(n).	Brazil	Hibiscus anthocyanosis agent.
	India	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.

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<i>Hydrangea</i> spp. (hydrangea)	Japan	<i>Aecidium hydrangeae-paniculatae</i> Dietel.
<i>Hyophorbe</i> spp. (palm)	All	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Ipomoea</i> spp. (sweetpotato)	All except Canada	A diversity of diseases including but not limited to: sweetpotato witches broom (little leaf); and sweetpotato viruses of eastern Africa.
<i>Jasminum</i> spp. (jasmine)	Belgium, Germany, Great Britain	Jasmine variegation diseases.
<i>Juniperus</i> spp. (juniper)	India	Chlorotic ringspot, Phyllox., yellow ring mosaic diseases.
<i>Larix</i> spp. (larch)	Austria, Finland, and Romania	Sampaguita, yellow ringspot, mosaic diseases.
<i>Larix</i> spp. (larch)	Europe	<i>Stigmella deflectans</i> (Karst) Ellis (Needlecast disease).
<i>Larix</i> spp. (larch)	Provinces of New Brunswick and Nova Scotia in Canada, Europe	<i>Phacidopycnis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker). <i>Lachnella wilkinsonii</i> (Hartig) Dennis (European larch canker).
<i>Lathania</i> spp	All	<i>Phacidopycnis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker).
<i>Leersia</i> spp. (coggrass) seed only (all other <i>Leersia</i> articles are included under Poaceae).	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Lens</i> spp. seed (lentil)	All	<i>Xanthomonas campestris</i> pv. <i>oryzae</i> (Ishiyama) Dye.
<i>Leptochloa</i> spp. (spangletop) seed only (all other <i>Leptochloa</i> articles are included under Poaceae).	All	<i>Uromyces viciae-fabae</i> (Pers.) Schroet. (Rust).
<i>Leucanthemella serotina</i>	South America	<i>Xanthomonas campestris</i> pv. <i>oryzae</i> (Ishiyama) Dye.
	Andorra, Argentina, Australia, Belarus, Bosnia and Herzegovina, Brazil, Brunei, Canary Islands, Chile, China, Colombia, Croatia, Ecuador, Iceland, Japan, Korea, Liechtenstein, Macedonia, Malaysia, Mexico, Moldova, Monaco, New Zealand, Norway, Peru, Republic of South Africa, Russia, San Marino, Switzerland, Taiwan, Thailand, Tunisia, Ukraine, Uruguay, Venezuela, Yugoslavia, the European Union (Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and United Kingdom); and all countries, territories, and possessions of countries located in part or entirely between 90° and 180° East longitude.	
	Europe	<i>Ligustrum</i> mosaic diseases.
	All	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.

Animal and Plant Health Inspection Service, USDA

§ 319.37-2

<i>Mahoberberis</i> spp. (plants of all species and horticultural varieties not designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Mahoberberis</i> spp. destined to an eradication State listed in § 301.38-2(a) of this chapter (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Mahoberberis</i> spp. seed (plants of all species and horticultural varieties not designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Mahonia</i> spp. (mahonia) (plants of all species and horticultural varieties not designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Mahonia</i> spp. (mahonia) destined to an eradication State listed in § 301.38-2(a) of this chapter (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Mahonia</i> spp. seed (plants of all species and horticultural varieties not designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Malus</i> spp. (apple, crabapple) not meeting the conditions for importation in § 319.37-5(b).	All	A diversity of diseases including but not limited to those listed for <i>Malus</i> in § 319.37-5(b)(1).
<i>Mangifera</i> spp. (mango) seed only (Prohibition not applicable to seeds imported into Guam, Hawaii, and the Northern Mariana Islands).	All except Canada	<i>Sternocetus mangiferae</i> F. (mango seed weevil).
<i>Mariorena</i> spp. (cassava)	All	A diversity of diseases including but not limited to: Mononychellus tanajoa (Bondon) (Cassava mite); <i>Phenococcus manihoti</i> Matile-Ferro (cassava mealybug); <i>Xanthomonas manihoti</i> (Arrand-Burtt) Starr (Bacterial blight); Cassava brown streak virus; Cassava latent virus; Cassava mosaic virus; Cassava common mosaic virus.
<i>Microcitrus</i> spp. seed not meeting § 319.37-5(m) or (v).	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease; <i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus). <i>Citrus greening</i> .

§ 319.37-2

7 CFR Ch. III (1-1-13 Edition)

Prohibited article (includes seeds only if specifically mentioned)	Foreign places from which prohibited	Quarantine pests existing in the places named and capable of being transported with the prohibited article
<i>Morus</i> spp. (mulberry)	India, Japan, Korea, People's Republic of China, Thailand, and the geographic area formerly known as the Union of Soviet Socialist Republics. All	Mulberry dwarf or mulberry mosaic diseases. <i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Murraya</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x). <i>Nannorrhops</i> spp. (mazaripalm) ...	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Neodypsis</i> spp. (palm)	All	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Nipponanthemum nipponicum</i>	Andorra, Argentina, Australia, Belarus, Bosnia and Herzegovina, Brazil, Brunei, Canary Islands, Chile, China, Colombia, Croatia, Ecuador, Iceland, Japan, Korea, Liechtenstein, Macedonia, Malaysia, Mexico, Moldova, Monaco, New Zealand, Norway, Peru, Republic of South Africa, Russia, San Marino, Switzerland, Taiwan, Thailand, Tunisia, Ukraine, Uruguay, Venezuela, Yugoslavia, the European Union (Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and United Kingdom); and all countries, territories, and possessions of countries located in part or entirely between 90° and 180° East longitude. All	<i>Puccinia horana</i> P. Henn. (white rust of chrysanthemum).
<i>Pelargonium</i> spp. not meeting the conditions for importation in § 319.37-5(r). <i>Pelargonium</i> spp. plants not meeting the conditions for importation in § 319.37-5(u). <i>Persea</i> spp. (avocado) seed	Canary Islands (Spain) Central and South America, and Mexico Europe All	Potato brown rot (<i>Ralstonia solanacearum</i> race 3 biovar 2).
<i>Philadelphia</i> spp. (mock orange) <i>Phoenix</i> spp. (date)	Europe, Japan, and Siberia	<i>Helicoverpa armigera</i> , <i>Chrysodeixis chalcites</i> , and <i>Syngrapha circumflexa</i> (syn. <i>Conditiplus circumflexa</i>). <i>Helipus lauri</i> Boh. (Avocado weevil); <i>Stenoma catenifer</i> Wals. (Avocado seed moth); <i>Conotrachelus</i> spp.
<i>Picea</i> spp. (spruce)	Europe Europe and Japan	Elm mottle virus. A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease. <i>Chrysomyxa ledi</i> (Alb. & Schw.) d By var. <i>rhododendri</i> (DC) Savile. (Rhododendron-spruce needle rust). <i>Phacidiplosis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker). <i>Cronartium flaccidum</i> (Alb. & Schw.) Wint. (Rust causing serious stunting of hard pines.) Gall-forming rust.
<i>Pinus</i> spp. (pine) (2- or 3-leaved)	Japan. Israel	<i>Spodoptera littoralis</i> and other quarantine pests.
Plants (except bulbs, dormant perennials, herbaceous and seeds) not meeting the conditions for importation in § 319.37-5(v).		

Animal and Plant Health Inspection Service, USDA
§ 319.37–2

<i>Poaceae</i> (vegetative parts of all grains and grasses, except species of <i>Bambuseae</i>),	All except Canada	A wide diversity of plant diseases, including but not limited to: banana streak virus, barley yellow mosaic virus, barley yellow stripe mosaic virus, bromé streak mosaic virus, cereal chlorotic streak virus, cocksfoot mild mosaic virus, corn stunt spiroplasma, Cynodon chlorotic streak virus, cynosurus mottle virus, Echinocloa ragged stunt virus, European aster yellows MLO, European wheat stripe mosaic virus, Iranian maize mosaic virus, maize bushy stunt MLO, maize chlorotic mottle virus, maize mosaic virus, maize mottle/chlorotic stunt virus, maize rough dwarf virus, maize streak virus, maize stripe virus, northern cereal mosaic virus, oat red streak mosaic virus, oat sterile dwarf virus, rice dwarf virus, rice gall dwarf virus, rice tungro virus, rice wilted stunt virus, rice yellow mottle virus, rice yellow dwarf agent, yellow dwarf agent, sugarcane white leaf MLC, wheat yellow leaf virus, and wheat yellowing stripe bacterium.
<i>Poncirus</i> spp. seed not meeting the conditions for importation in § 319.37–5(w) or (x).	All	<i>Xanthomonas populi</i> Ride (Canker).
<i>Populus</i> spp. (aspens, cottonwood, poplar).	Europe	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Prichardia</i> spp	All	A diversity of diseases including but not limited to those listed for <i>Prunus</i> in § 319.37–5(b)(1).
<i>Prunus</i> spp. (almond, apricot, cherry, cherry laurel, English laurel, nectarine, peach, plum, prune) not meeting the conditions for importation in § 319.37–5(b).	All	Plum pox (Sharka) virus.
<i>Prunus</i> spp. seed only (almond, apricot, nectarine, peach, plum, and prune, but not species in subgenus <i>Cerasus</i>) not meeting the conditions for importation in § 319.37–5(l).	All	<i>Lachnellula willkommii</i> (Hartig) Dennis (European larch canker).
<i>Pseudolarix</i> spp. (golden larch)	Provinces of New Brunswick and Nova Scotia in Canada, Europe, and Japan	<i>Phacidopycnis pseudotsuga</i> (M. Wilz.) Hahn (Douglas fir canker).
<i>Pseudotsuga</i> spp. (Douglas fir) ...	All	A diversity of diseases including but not limited to those listed for <i>Pyrus</i> in § 319.37–5(b)(1).
<i>Pyrus</i> spp. (pear) not meeting the conditions for importation in § 319.37–5(b).	Japan	<i>Stereum hirsutissimum</i> (White rot); a gall-forming rust.
<i>Quercus</i> spp. (oak)	All	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Ravenea</i> spp. (palm)	Europe and New Zealand	Black currant reversal agent.
<i>Ribes</i> spp. (currant, gooseberry) ..	Australia, Bulgaria, Italy, and New Zealand	Rose wilt virus.
<i>Rosa</i> spp. (rose)	Europe	<i>Rubus</i> stunt agent.
<i>Rubus</i> spp. not meeting the conditions for importation in § 319.37–5(f).	Belgium, Germany, Great Britain, Japan, and the Netherlands	Fruit flies, or other injurious insects.
<i>Salix</i> spp. (willow)	All except Canada	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
Seeds of all kinds when in pulp ..	All	
<i>Severinia</i> spp. seed not meeting the conditions for importation in § 319.37–5(w) or (x).		

§ 319.37-2

7 CFR Ch. III (1-1-13 Edition)

Prohibited article (includes seeds only if specifically mentioned)	Foreign places from which prohibited	Quarantine pests existing in the places named and capable of being transported with the prohibited article
<i>Solanum</i> spp. (potato) (tuber bearing species only—Section Tuberarium), including potato tubers.	All except Canada (except Newfoundland and that portion of the Municipality of Central Saanich in the Province of British Columbia east of the West Saanich Road).	Andean potato latent virus; Andean potato mottle virus; potato mop top virus; dulcamara mottle virus; tomato blackning virus; tobacco rattle virus; potato virus Y (tobacco vein necrosis strain); potato purple top wilt agent; potato marginal flavesence agent; potato purple top roll agent; potato witches broom agent; stolbur agent; parasitobur agent; potato leaflet stunt agent; potato spindle tuber viroid; arracacha virus B; potato yellowing virus.
<i>Solanum</i> spp. true seed (tuber bearing species only—Section Tuberarium).	All except Canada, New Zealand, and the X region of Chile (that area of Chile between 39° and 44° South latitude—see § 319.37-5(o)).	Andean potato latent virus; potato virus T; tobacco ringspot virus (Andean potato calico strain); arracacha virus B; potato yellowing virus.
<i>Solanum</i> spp. not meeting the conditions for importation in § 319.37-5(r).	All	Potato brown rot (<i>Ralstonia solanacearum</i> race 3 biovar 2).
<i>Sorbus</i> spp. (mountain ash)	Czech Republic, Denmark, Germany, Slovakia	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Swingia</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x).	All	Mountain ash variegation or ringspot mosaic disease.
<i>Syringa</i> spp. (lilac) not meeting the conditions for importation in § 319.37-5(l).	Europe	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Theobroma</i> spp. (cacao)	All	A diversity of diseases and pests including but not limited to: cocoa swollen shoot virus, cocoa mottle leaf virus, cocoa yellow mosaic virus, cocoa necrosis virus, <i>Crimmellis perniciosa</i> (Stahel) Singer (witches broom fungus), <i>Monilia moreni-Moriliophthora orei</i> (CF.) H.C. Evans et al. (water pod rot), coa isolates of <i>Ceratocystis fimbriata</i> Ellis and Haist (witts), <i>Trachysphaera fructigena</i> Tabor and Bunting (mealy pod agents of citrus gall disease), <i>Oncobasidium theobromae</i> Talbot and Keane (vascular streak die-back), <i>Xyleborus</i> spp. beetles and <i>Acrocerops crameriae</i> (Schneller) (cocoa moth).
<i>Toddalia</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x).	All	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Trachycarpus</i> spp. (Windmill palm)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Ulmus</i> spp. (elm) (including seeds).	Europe	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Vaccinium</i> spp. plants not meeting the conditions for importation in § 319.37-5(w) or (x).	Canada	Elm mottle virus.
<i>Veitchia</i> spp.	All	Blueberry scorch carlavirus (strains BC-1 and BC-2).
<i>Vernis</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x).	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.

<i>Vitis</i> spp. (grape) not meeting the conditions for importation in § 319.37–5(b).	All Africa Argentina, Uruguay Africa, Brazil, France, Italy, Malta, Mauritius, Portugal All except Canada	A diversity of diseases including but not limited to those specified for <i>Vitis</i> in § 319.37–5(b)(1). <i>Puccinia maccleanii</i> Dodge (rust), <i>Uredo gladioli-buettneri</i> Bub. (rust), <i>Uromyces gladioli</i> P. Henn. (rust), <i>U. nyikensis</i> Syd. (rust). <i>U. gladioli</i> P. Henn. (rust). <i>U. transversalis</i> (Thüm.) Wint. (rust). <i>Xanthomonas campestris</i> pv. <i>oryzae</i> (Ishiyama) Dye.
<i>Watsonia</i> spp. (bugle lily)	<i>Watsonia</i> spp. (bugle lily), except bulbs in commercial shipments. <i>Zizania</i> spp. (wild rice) seed only (all other <i>Zizania</i> articles are included under Poaceae);	

§319.37-2**7 CFR Ch. III (1-1-13 Edition)**

(b) The following listed articles from all foreign places except Canada are prohibited articles and are prohibited from being imported or offered for entry into the United States except as provided in paragraph (c) of this section:

(1) *Rhododendron* spp. (rhododendron and azalea) or other genera or species of similar slow growth habit, other than artificially dwarfed plants meeting the conditions in §319.37-5(q):

(i) Exceeding 3 years of age if grown from seeds or cuttings; or

(ii) Exceeding 2 years of age after severance from the parent plant if produced by layers; or

(iii) Having more than 3 years' growth from the bud or graft if produced by budding or grafting.

(2) Any naturally dwarf or miniature form of tree or shrub exceeding 305 millimeters (approximately 12 inches) in length from the soil line.

(3) Herbaceous perennials (except epiphytes) imported in the form of root crowns or clumps exceeding 102 millimeters (approximately 4 inches) in diameter.

(4) Stem cuttings without leaves, without roots, without sprouts, and without branches (other than cactus cuttings and cuttings of epiphytes) exceeding 102 millimeters (approximately 4 inches) in diameter or exceeding 1.83 meters (approximately 6 feet) in length; and stem cuttings of epiphytes with or without aerial roots (without leaves, without sprouts, and without branches) exceeding 102 millimeters (approximately 4 inches) in diameter or exceeding 1.83 meters (approximately 6 feet) in length.

(5) Cactus cuttings (without roots or branches) exceeding 153 millimeters (approximately 6 inches) in diameter or exceeding 1.22 meters (approximately 4 feet) in length.

(6)(i) Plants (other than stem cuttings, cactus cuttings, artificially dwarfed plants meeting the conditions in §319.37-5(q), *Dracaena* spp. plants from Costa Rica meeting the conditions of §319.37-5(y), and palms and plants whose growth habits simulate palms) exceeding 460 millimeters (approximately 18 inches) in length from soil line (top of rooting zone for plants produced by air layering) to the far-

thest terminal growing point and whose growth habits simulate the woody habits of trees and shrubs, including but not limited to cacti, cycads, yuccas, and dracaenias.

(ii) Palms and plants whose growth habits simulate palms, that exceed a total length (stem plus leaves) of 915 millimeters (approximately 36 inches) in length.

(7) Any tree or shrub of a type not listed above, other than an artificially dwarf plant meeting the conditions in §319.37-5(q), and:

(i) Exceeding 2 years of age if grown from seeds or cuttings; or

(ii) Exceeding 1 year of age after severance from the parent plant if produced by layers; or

(iii) Having more than 2 years' growth from the bud or graft if produced by budding or grafting.

(c) Any article listed as a prohibited article in paragraph (a) or (b) of this section, and any article listed in accordance with §319.37-2a of this subpart as an article whose importation is not authorized pending pest risk analysis, may be imported or offered for entry into the United States if:

(1) Imported by the United States Department of Agriculture for experimental or scientific purposes;

(2) Imported at the National Plant Germplasm Inspection Station, Building 580, Beltsville Agricultural Research Center East, Beltsville, MD 20705 or through any Federal plant inspection station listed in §319.37-14;

(3) Imported pursuant to a Departmental permit issued for such article and kept on file at the port of entry;

(4) Imported under conditions specified on the Departmental permit and found by the Deputy Administrator to be adequate to prevent the introduction into the United States of plant pests, i.e., conditions of treatment, processing, growing, shipment, disposal; and

(5) Imported with a Departmental tag or label securely attached to the outside of the container containing the article or securely attached to the article itself if not in a container, and with such tag or label bearing a Departmental permit number corresponding

to the number of the Departmental permit issued for such article.

[45 FR 31585, May 13, 1980]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §319.37-2, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 319.37-2a Taxa of regulated plants for planting whose importation is not authorized pending pest risk analysis.

(a) *Determination by the Administrator.* The importation of certain taxa of plants for planting poses a risk of introducing quarantine pests into the United States. Therefore, the importation of these taxa is not authorized pending the completion of a pest risk analysis, except as provided in § 319.37-2(c). Lists of these taxa may be found on the Internet at http://www.aphis.usda.gov/import_export/plants/plant_imports/Q37_nappa.shtml. There are two lists of taxa whose importation is not authorized pending pest risk analysis: A list of taxa of plants for planting that are quarantine pests, and a list of taxa of plants for planting that are hosts of quarantine pests. For taxa of plants for planting that have been determined to be quarantine pests, the list includes the names of the taxa. For taxa of plants for planting that are hosts of quarantine pests, the list includes the names of the taxa, the foreign places from which the taxa's importation is not authorized, and the quarantine pests of concern.

(b) *Addition of taxa.* A taxon of plants for planting may be added to one of the lists of taxa not authorized for importation pending pest risk analysis under this section as follows:

(1) *Data sheet.* APHIS will publish in the FEDERAL REGISTER a notice that announces our determination that a taxon of plants for planting is either a quarantine pest or a host of a quarantine pest. This notice will make available a data sheet that details the scientific evidence APHIS evaluated in making the determination that the taxon is a quarantine pest or a host of a quarantine pest. The data sheet will include references to the scientific evidence that APHIS used in making the

determination. In our notice, we will provide for a public comment period of a minimum of 60 days on our addition to the list.

(2) *Response to comments.* (i) APHIS will issue a notice after the close of the public comment period indicating that the taxon will be added to the list of taxa not authorized for importation pending pest risk analysis if:

(A) No comments were received on the data sheet;

(B) The comments on the data sheet revealed that no changes to the data sheet were necessary; or

(C) Changes to the data sheet were made in response to public comments, but the changes did not affect APHIS' determination that the taxon poses a risk of introducing a quarantine pest into the United States.

(ii) If comments present information that leads us to determine that the taxon does not pose a risk of introducing a quarantine pest into the United States, APHIS will not add the taxon to the list of plants for planting whose importation is not authorized pending pest risk analysis. APHIS will issue a notice giving public notice of this determination after the close of the comment period.

(c) *Criterion for listing a taxon of plants for planting as a quarantine pest.* A taxon will be added to the list of taxa whose importation is not authorized pending pest risk analysis if scientific evidence causes APHIS to determine that the taxon is a quarantine pest.

(d) *Criteria for listing a taxon of plants for planting as a host of a quarantine pest.* A taxon will be added to the list of taxa whose importation is not authorized pending pest risk analysis if scientific evidence causes APHIS to determine that the taxon is a host of a quarantine pest. The following criteria must be fulfilled in order to make this determination:

(1) The plant pest in question must be determined to be a quarantine pest; and

(2) The taxon of plants for planting must be determined to be a host of that quarantine pest.

(e) *Removing a taxon from the list of taxa not authorized pending pest risk analysis.* (1) Requests to remove a